The Planning Inspectorate

Appeal Decision

Site visit made on 1 October 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2019

Appeal Ref: APP/E5330/W/19/3232980
68 Admaston Road, Plumstead SE18 2TR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr A Hussain against the decision of Royal Borough of Greenwich Council.
- The application Ref 19/1278/FUL, dated 5 April 2019, was refused by notice dated 26 June 2019.
- The development proposed is erection of new detached studio dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

    - The effect of the development on the character and appearance of the area, including upon the setting of the Plumstead Common Conservation Area.
    - whether the proposed development would provide acceptable living conditions for future occupants.
    - the effect of the development on the living conditions of the occupants of 68A Admaston Road, 43 Plum Lane and 91 Palmerston Crescent.
    - whether the proposed development would provide adequate provision for refuse and bin storage.

Reasons

Character and appearance

3. The site is located on the edge of the Plumstead Common Conservation Area, the boundary of which appears from the submitted Conservation Area Map to run across the frontage of the site. The Council have indicated in their questionnaire that the site is not within the Conservation Area. As it was not clear from the evidence I have sought and received confirmation from the Council that the site is not within the Conservation Area.

4. Paragraph 200 of the National Planning Policy Framework ('the Framework') requires new development within the setting of Conservation Areas to enhance

or better reveal its significance. The Framework defines the setting of a heritage asset as "the surroundings in which a heritage asset is experienced."

5. The Conservation Area is characterised by early and mid Victorian terraced and semi-detached housing with some 19th Century terraced housing which has retained much of its original character. The similarity of the housing style and scale leads to a high degree of uniformity. The appeal site adjoins the conservation area and the two storey terrace housing within this street with back to back gardens, which also have a degree of uniformity contributes to its setting.

6. I consider that the consistent and established pattern of development which has a high degree of uniformity, is a positive contribution to the special attributes of the Plumstead Common Conservation Area.

7. The appeal site is an overgrown piece of land located to the rear of 68a Admaston Road, and 91 Palmerston Crescent. The site would have originally formed part of the rear garden of no. 68 which has now been converted to two flats. The properties within this street all have narrow gardens which back onto the gardens of the neighbouring terraces.

8. Although the appeal site has been neglected, its open nature provides some positive contribution to the spacious and verdant character of the Conservation Area which is formed from the positioning of the terraced properties with back to back gardens. The loss of this space would be harmful to the setting and significance of the Conservation Area.

9. The proposed dwelling would be single storey and would fill the full depth of the site. The amount of space around the proposed dwelling would be confined to just a single parking space, an amenity area even smaller than the parking space and a narrow path in front of the external doors. The proposed dwelling would have a lack of soft landscaping which would be out of character with the surrounding plots. Furthermore, it would remove the visual gap between the rear of the two dwellings between which it would sit. In addition, the single storey nature of the dwelling would be inconsistent with the uniformity of the surrounding two storey terraces. Overall, the proposed development would look cramped and incongruous within the street-scene.

10. For the above reasons, the proposal would result in less than substantial harm to the setting of the Conservation Area. Paragraph 193 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given that the proposal would be of a relatively small scale, I find the harm to the setting of the Conservation Area to be less than substantial in this instance but nevertheless of considerable importance and weight.

11. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant submits that the proposal would result in the provision of a home for a single person or a first-time buyer. However, given my findings on the issue of living conditions below, I do not consider that this would be a public benefit. Therefore, there is no public benefit sufficient to outweigh the harm.

12. I conclude that the proposal would harm the character and appearance of the street-scene and would harm the significance of the adjoining Plumstead

Common Conservation Area. This would be contrary to policies DH1 and H5 of the Royal Greenwich Local Plan: Core Strategy with detailed policies 2014 (CS) which requires high quality design which has regard to the scale, height and massing of the adjacent townscape. It would also fail to accord with policies 7.4 and 7.6 of The London Plan which provide guidance on design and architecture.

13. The development would also be contrary to policies DH3 and DH(h) of the CS which seek to preserve or enhance the Conservation Area and in particular require development to respect the setting of those areas, and policy 7.8 of the London Plan which deals with heritage assets.

Living Conditions – future occupiers

14. The proposed dwelling would be a studio unit with a separate bathroom. The dwelling would have windows on only two elevations, these would provide light to the kitchen, with double doors providing light and access to the main living area.

15. Policy 3.5 of the London Plan requires a studio dwelling with a bathroom to provide 39 sqm of internal space. The Council has stated that the unit would have a floor area of 36.7 sqm and the appellant does not dispute this. Therefore, the dwelling would not comply with this policy. Due to its lack of internal space, the dwelling would result in an oppressively confined form of residential accommodation, that would be significantly harmful to its occupants.

16. Standard 28 of the Mayor of London Housing Supplementary Planning Guidance 2016 (SPG) requires development to demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy. The kitchen windows of the dwelling would face the first and second floor windows of 91 Palmerston Crescent across a fairly limited distance which would not provide a sufficient space between the two properties to avoid interlooking. Therefore, the proposed dwelling would not provide an adequate level of privacy.

17. The dwelling would have no windows in the rear or side elevation so that the proposed windows would be limited to those on the northern and eastern elevations. The light levels that would be received to these windows would be restricted due to the proximity of 68a Admaston Road and 91 Palmerston Crescent. Therefore, whilst the dwelling is dual aspect, and therefore complies with Standard 29 of the SPG, the living accommodation would not receive an adequate level of light.

18. The amenity space would be provided adjacent to the boundary with 68a Admaston Road, next to the proposed parking space and would be directly accessed off the living area. Whilst it would be small it would be commensurate with the size of the proposed dwelling and would be large enough to sit out in. The area would be overlooked by 68a Admaston Road and 91 Palmerston Crescent but this is not uncommon in urban areas where dwellings are positioned closely together.

19. Although no details are shown on the submitted plans it would be reasonable to require boundary treatment between the amenity space of the flats and the proposed dwelling to ensure that any overlooking at ground floor level is mitigated. I note the concern expressed about its proximity to the proposed

parking space, but given the parking space would be to serve the proposed dwelling, it is unlikely to cause undue disturbance to future occupiers.

20. In conclusion, the development would not provide acceptable living conditions for future occupiers. It would therefore be contrary to Policy 3.5 of the London Plan, Standard 28 of the SPG and Policy H5 of the CS which all seek to ensure high standards of accommodation for housing in terms of size, quality and arrangement of internal space.

Living Conditions – Existing neighbouring occupiers

21. The proposed parking area would be located against the rear elevation of 68a Admaston Road. It was not possible to see the rear of the site due to its overgrown nature but I understand from representations that the ground floor flat has both ground floor windows and a small amenity area along this boundary.

22. I consider that due to the proximity of the parking space to the neighbouring property, the noise from cars accessing and leaving the space would cause a disturbance to its residents. Whilst I have concluded that this would not be the case for future occupiers, the difference is that they would have control over when they used their own outdoor space and whether cars would be accessing the space at the same time.

23. It has been put to me that the development would be a dominant addition that would result in a loss of outlook. However, there is currently a limited outlook from both 68a Admaston Road and 91 Palmerstone Crescent as a result of the vegetation present on the site. Therefore the proposed dwelling would have a limited effect on the amount of sunlight or daylight received to the ground floor flat at 68a.

24. The property at 43 Plum Lane is separated from the site by a boundary wall. Therefore, given the limited height of the proposed single storey dwelling above the wall, there would be little impact upon the outlook from this property. For the same reason, there would also be little effect upon the amount of sunlight or daylight to No 43.

25. In conclusion, whilst there would be no loss of outlook as a result of the proposed development, the use of the parking space would lead to an unacceptable effect on the living conditions of the occupants of 68a Admaston Road contrary to policy DH(b) of the CS which requires development to protect the amenity of adjacent occupiers.

Refuse storage

26. The proposed plot is limited in size and no details have been provided to indicate where refuse bins would be stored.

27. Bin storage would lead to a reduction in the level of available amenity space or would result in the need for bins to be stored directly adjacent to the limited number of openings. This would lead to a further reduction in the living conditions of future occupiers. I note the appellant's suggestion to provide details in accordance with a planning condition, but a condition would not overcome the harm identified.

28. Therefore, I consider that the proposed development would not provide adequate provision for refuse and bin storage. Consequently, it would fail to comply with policy 5.16 of the London Plan and policy H5 of the CS which seek to ensure adequate provision for waste recycling.

Conclusion

29. For the reasons given above I conclude that the appeal should be dismissed.

G.Pannell

INSPECTOR